
Introduced by Senator Alquist

February 8, 2006

An act to add and repeal Part 12 (commencing with Section 12999.25) of Division 6 of the Water Code, relating to water.

LEGISLATIVE COUNSEL'S DIGEST

SB 1251, as introduced, Alquist. Flood and stormwater management planning.

Under existing law, the Department of Water Resources participates in various flood management programs.

This bill would require the Director of Water Resources, not later than June 30, 2007, to convene a task force, to prepare a comprehensive statewide flood and stormwater management plan with prescribed components, and a financing strategy for the implementation of that plan. The bill would require the task force, not later than June 30, 2008, to prepare and submit a report to the Legislature with regard to its findings and recommendations. The bill would repeal these provisions on January 1, 2009.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. The Legislature finds and declares all of the
- 2 following:
- 3 (a) The State of California faces considerable risks associated
- 4 with flooding and flood management.
- 5 (b) These risks threaten California's economic and ecological
- 6 vitality, and can expose state and local government, as well as
- 7 private property owners, to significant financial liability.

1 (c) The risks associated with flooding can be reduced by
2 development of a comprehensive plan for statewide flood
3 management, building upon the work completed by the
4 California Floodplain Management Task Force in 2002.

5 SEC. 2. Part 12 (commencing with Section 12999.25) is
6 added to Division 6 of the Water Code, to read:

7
8 PART 12. COMPREHENSIVE STATEWIDE FLOOD AND
9 STORMWATER MANAGEMENT PLAN
10

11 12999.25. (a) Not later than June 30, 2007, the director shall
12 convene a task force for the purpose of preparing a
13 comprehensive statewide flood and stormwater management plan
14 and a financing strategy for implementing that plan. The task
15 force shall build upon the work of the California Floodplain
16 Management Task Force. The director, in consultation with task
17 force members, may enter into an interagency agreement with the
18 California State University, the University of California, or
19 another appropriate agency to oversee the task force.

20 (b) The director shall determine the composition of the task
21 force. The task force shall include, but need not be limited to,
22 representatives from all of the following entities or groups, to the
23 maximum extent possible, but subject to the consent of those
24 entities or groups:

- 25 (1) City and county governments.
26 (2) The department.
27 (3) Special districts.
28 (4) Other local, state, and federal governmental agencies and
29 interested parties that represent relevant environmental,
30 agricultural, and construction interests.

31 (c) The comprehensive flood management plan shall address
32 all of the following matters:

33 (1) Matters that were not resolved by the California Floodplain
34 Management Task Force in 2002, including, but not necessarily
35 limited to, matters relating to all of the following:

- 36 (A) Coastal floodplain management.
37 (B) Aspects of alluvial fan floodplain management.
38 (C) Compliance with the National Flood Insurance Program.
39 (D) Floodwater management.
40 (E) Floodwater storage.

1 (F) Floodplain management programs in protected floodplains
2 subject to flooding.

3 (G) Certification of the competence of floodwater
4 management systems for floodplain management purposes.

5 (H) “Life-cycle costing.”

6 (I) Disclosure and map availability.

7 (J) Actions to conserve agriculture and rural floodplains.

8 (K) Urbanization of floodplains.

9 (L) Benefits and risks to floodplains from structural flood
10 control.

11 (M) Methods needed to address adverse impact to adjacent
12 property.

13 (2) The potential impact of climate change on flooding.

14 (3) Stormwater management.

15 (4) The statewide application, as appropriate, of
16 recommendations made in the report on Central Valley flood
17 management entitled “Responding to California’s Flood Crisis,”
18 prepared by the department in 2005.

19 (5) Establishment of a state program to work with affected
20 parties to identify and prioritize statewide flood management
21 needs and to recommend voluntary best management practices.

22 (6) Priority setting for the implementation of task force
23 recommendations.

24 (7) A strategy and financing mechanism for financial support
25 of high priority flood and stormwater management activities,
26 including projects authorized in accordance with the State Water
27 Resources Law of 1945 (Chapter 1 (commencing with Section
28 12570) and Chapter 2 (commencing with Section 12639) of Part
29 6), the Flood Control of 1946 (Chapter 3 (commencing with
30 Section 12800) of Part 6), Chapter 3.5 (commencing with Section
31 12840) of Part 6, and the California Watershed Protection and
32 Flood Prevention Law (Chapter 4 (commencing with Section
33 12850) of Part 6).

34 (8) A strategy to evaluate the condition of levees and related
35 needs statewide.

36 (9) A strategy and financing mechanism to ensure the ongoing
37 operation and maintenance of flood protection facilities
38 statewide.

39 (10) A strategy to perform a thorough statewide assessment of
40 flood potential and flood risk, including risk from tidal flooding.

1 (11) A strategy to create a streamlined regulatory permit
2 process.

3 (d) The task force shall prepare and submit a report to the
4 Legislature, not later than June 30, 2008, with regard to its
5 findings and recommendations.

6 SEC. 3. This part shall remain in effect only until January 1,
7 2009, and as of that date is repealed, unless a later enacted
8 statute, that is enacted before January 1, 2009, deletes or extends
9 that date.